

CHAPTER 100
COMMUNITY HEALTH MANAGEMENT
INFORMATION SYSTEM

191—100.1(144C) Authority and function. The community health management information system is established by Iowa Code chapter 144C. Its function is to formulate, implement, and administer a community health management information system which will result in a more efficient and cost-effective health care transaction process. The system shall facilitate the exchange of medical and transactional information among providers and other interested entities. A data repository is also established which shall collect health care data and provide information pursuant to Iowa Code section 144C.3.

191—100.2(144C) Scope. The rules contained in this chapter shall regulate the administration and duties of CHMIS, the CHMIS board and its advisory committees, the data repository and the duties of the insurance division as they relate to Iowa Code chapter 144C.

191—100.3(144C) General definitions. The definitions set out in Iowa Code section 144C.2 shall be considered to be incorporated verbatim in these rules. However, for purposes of this chapter, the community health management information system shall also be referred to as CHMIS.

191—100.4(144C) Organization.

100.4(1) The community health management information system is a not-for-profit corporation organized under Iowa Code chapter 144C, and for which articles of incorporation are filed in the office of the secretary of state and, together with its bylaws, in the office of the county recorder of Polk County, Iowa.

100.4(2) A governing board is established according to the provisions of Iowa Code section 144C.5.

100.4(3) The affairs of CHMIS and the data repository are administered by employees or officers of the governing board as may be duly authorized or act on behalf of the governing board.

191—100.5(144C) Duties of the board.

100.5(1) The board shall carry out the duties as required in Iowa Code chapter 144C.

100.5(2) The board may also do those acts as provided in Iowa Code section 144C.4, subsection 6.

100.5(3) The board shall file a written report to the general assembly on or before January 15 of each year concerning the operation of the system as prescribed in Iowa Code section 144C.4, subsection 7.

100.5(4) The policies and procedures established by the board and its committees shall be subject to the review and approval of the insurance division and shall be available to the public.

191—100.6(144C) Duties of the insurance division.

100.6(1) The policies and procedures of the board and its committees are subject to review and approval by the insurance division. The division shall notify the board in writing of policies and procedures which the division believes do not conform to the statute or other state law, rule or regulation, and request the policy or procedure be rewritten. The division shall respond within 20 days of receipt of the rule or procedure to the board concerning the approval or denial of a policy or procedure. Upon receipt by the board of the denial of a policy or procedure, the board shall have 20 days to respond. The division shall maintain copies of all board policies and procedures which shall be available to the public.

100.6(2) Upon a recommendation of the board or upon the action of the division, a payor, provider, a transaction network or the board which fails to comply with Iowa Code chapter 144C or the rules of this chapter shall be subject to a civil penalty.

The division shall notify the noncomplying party of the nature of the noncompliance and that failure to correct the noncompliance will subject the party to a civil penalty not to exceed \$500 for each of-

fense. The party to which a civil penalty has been imposed may appeal the action of the division pursuant to Iowa Code chapter 17A and 191—Chapter 3.

100.6(3) Agreements between payors, providers, transaction networks, the data repository, and the board which will assist in the implementation of Iowa Code chapter 144C but could violate antitrust law without government approval shall be submitted to the commissioner for approval prior to enactment.

191—100.7(144C) Advisory committees. The board shall establish the following committees and appoint members to those committees as necessary to carry out their duties:

1. Ethics and confidentiality review committee.
2. Data advisory committee.
3. Technical advisory committee.
4. Communications and education committee.
5. Quality review and advisory committee.

The board may appoint other advisory committees as necessary to carry out duties and functions of the board, CHMIS, or the data repository.

191—100.8(144C) Confidentiality of information.

100.8(1) The board is responsible for establishing policy and procedure that will ensure the dissemination of reports and access to the CHMIS data. The ethics and confidentiality review committee shall administer the policies and procedures set forth in this rule by the board.

100.8(2) Access to the CHMIS data resources will be granted to those individuals and organizations which demonstrate the following:

- a. The questions they want to answer are answerable using the data resource to which they are requesting access;
- b. The requester's stated purpose and proposed uses of data are in accordance with the CHMIS mission and policies;
- c. The requester's method of analysis reasonably addresses the questions posed and is appropriate for the data requested.

100.8(3) Those organizations and individuals who are granted access to the CHMIS database must, as a condition of access, agree to assume full responsibility for the analysis and use of those data. They must also agree not to sell or otherwise transfer the data in whole or in part for purposes not stated in the original agreement with the CHMIS.

100.8(4) All policies and procedures concerning the confidentiality and dissemination of patient information shall be filed with the division and shall be available for public inspection. This shall include procedures by the board for the review of a denial of access to records in CHMIS.

191—100.9(144C) Transaction networks.

100.9(1) The board shall certify transaction networks which shall operate within and without the state. A transaction network which is not certified by the board shall not operate within CHMIS.

100.9(2) The board shall establish procedures including any fees for certification of transaction networks subject to the approval of the division pursuant to subrule 100.6(1).

191—100.10(144C) System implementation. The board shall implement CHMIS according to Iowa Code section 144C.8 as to phases I through III. The board shall establish policies and procedures with the review and approval of the division prior to the implementation of each phase.

This chapter is intended to implement Iowa Code chapter 144C and Iowa Code section 505.20.

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